

ORIGINAL

*\* original*

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

FILED  
U.S. DISTRICT COURT  
NORTHERN DIST. OF TX  
FORT WORTH DIVISION

2015 OCT 23 PM 3:24  
TS  
CLERK OF COURT

IMRAN QURASHI  
PLAINTIFF:

-vs.-

PAMELA BATES  
DEFENDANT

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CASE NO: 4:15-cv-00784-A

DEFENDANT PAMELA BATES MOTION FOR SANCTIONS

Defendant Pamela Bates asks the court to impose appropriate sanctions against Judge Roy Kurban, Judge Matt Hayes and Imran Qurashi for filing a

(A) groundless Judgment in violation of Texas Rule of Civil Procedure 13.

(B) frivolous Judgment in violation of Texas Civil Practice & Remedies Code section 10.001.

A. Introduction

1. Plaintiff is Imran Qurashi defendant is Pamela Bates.
2. Plaintiff sued defendant for Non Payment of Rent.
3. Presiding Judge was Roy Kurban.
4. Disposition Judge Matt Hayes.

B. Facts

4. On October 9<sup>th</sup> 2015 Defendant was served a summons to Justice of the Peace Precinct 7 Tarrant County Judge Matt Hayes Presiding to appear on October 20<sup>th</sup>, 2015 at 9:00 am, Imran Qurashi filed a Suit to Evict.

5. On October 19<sup>th</sup>, 2015 Defendant Pamela Bates Removed cause no: from the Justice of the Peace Precinct 7 Tarrant County, To Case Number 4:15-cv-00784-A in the Northern District Court of Texas, Fort Worth Division which this case is still in the Federal Court.

6. Defendant Pamela Bates than noticed all parties on October 19<sup>th</sup>, 2015 involved that the case from Justice of the Peace Precinct 7 Tarrant County cause number Jp07-15-E00079953 has been removed to Northern District Court of Texas, Fort Worth Division case no: 4:15-cv-00784-A.

7. On October 20<sup>th</sup> Defendant went to the Justice of the Peace Precinct 7 Tarrant County and when court went into session the defendant's case was called before the court by Judge Roy Kurban which in Fact does not have either a Bond or an Oath placed with the Secretary of State.

8. Defendant Pamela Bates was asked what she had to say by Judge Roy Kurban Defendant Pamela Bates said to the Judge" Your Honor have you read my Notice to removal to the Northern District Court of Texas, Fort Worth Division case no: 4:15-cv-00784-A. The Judge walked out of the court room for a few minutes than came back in and said where you did get this Non Sense its bad advice and then the Judge Ruled against the Defendant Pamela Bates.

9. Defendant also had Challenged Subject Matter Jurisdiction in which the Justice of the Peace Court never proved. Proven Subject Matter Jurisdiction cannot come out of the mouth of the Judge.

10. Defendant Pamela Bates attaches affidavits to this motion to establish facts not apparent from the record and incorporates them by reference.

#### C. Groundless Judgment Under Rule 13

11. The court can impose sanctions on a person who signed a Judgment in violation of Texas Rule of Civil Procedure 13. "*Groundless rulings - TRCP 13,*" *ch. 5-J, §5.2.2, p. 292.*}

12. A judgment is sanctionable under Rule 13 if it is groundless and was brought in bad faith or for the purpose of harassment. *Tex. R. Civ. P. 13; GTE Comm. Sys. Corp. v. Tanner*, 856 S.W.2d 725, 731 (Tex. 1993); *see Able Sup. Co. v. Moye*, 898 S.W.2d 766, 772 (Tex. 1995). A groundless judgment is one that has no basis in law or fact and is not warranted by a good-faith argument for the extension, modification, or reversal of existing law. *Tex. R. Civ. P. 13; GTE*, 856 S.W.2d 730; *Trimble v. Itz*, 898 S.W.2d 370, 373 (Tex. App.—San Antonio 1995), *writ denied*, 906 S.W.2d 481 (Tex. 1995). {*See O'Connor's Texas Rules, "Groundless pleadings - TRCP 13,*" *ch. 5-J, §5.2.2, p. 292.*}

13. The standard for reviewing whether a judgment is groundless is objective: Did the party and the Judge make a reasonable inquiry into the legal and factual basis of the claim? The reasonableness of the inquiry is judged by the facts available and the circumstances present at the time the party filed the pleading. *Tarrant Cty. v. Chancey*, 942 S.W.2d 151, 155 (Tex. App.—Fort Worth 1997, no writ). {*See O'Connor's Texas Rules, "Objective test - groundless,*" *ch. 5-J, §5.2.2(1), p. 292.*}

10. {*Adverse party*} filed the groundless pleading in bad faith and for the purpose of harassment. Therefore, {*adverse party*} is subject to sanctions. *See GTE*, 856 S.W.2d at 731. Specifically, {*adverse party*} {*describe acts that constitute bad faith and explain why pleading is groundless*}.

D. Frivolous Pleading Under Tex. Civ. Prac. & Rem. Code §10.001

11. The court can impose sanctions on the attorney or the party represented by the attorney who signed a pleading, motion, or other paper in violation of Texas Civil Practice & Remedies Code section 10.001. Tex. Civ. Prac. & Rem. Code §10.004(a). {*See O'Connor's Texas Rules, "Frivolous pleadings - CPRC ch. 10," ch. 5-J, §5.2.1, p. 292.*}

{*CHOOSE APPROPRIATE PARAGRAPHS 12-15*}

12. A pleading is frivolous when presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation. Tex. Civ. Prac. & Rem. Code §10.001(1). {*Adverse party*}’s pleading is frivolous because {*describe how the pleading is intended to harass or cause unnecessary delay or expense*}. Therefore, {*adverse party*} is subject to sanctions.

13. A pleading is frivolous unless each claim, defense, or other legal contention is warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law. Tex. Civ. Prac. & Rem. Code §10.001(2). {*Adverse party*}’s pleading is frivolous because {*explain why a claim, defense, or contention is not warranted by existing law or is a frivolous argument for extension, modification, or reversal of existing law or the establishment of new law*}. Therefore, {*adverse party*} is subject to sanctions.

14. A pleading is frivolous unless each allegation or factual contention has evidentiary support or, for a specifically identified allegation or factual contention, is likely to have evidentiary support after a reasonable opportunity for further investigation or discovery. Tex. Civ. Prac. & Rem. Code §10.001(3). {*Adverse party*}’s pleading is frivolous because {*explain why an allegation or factual contention has no evidentiary support or is unlikely to have evidentiary support*}. Therefore, {*adverse party*} is subject to sanctions.

15. A pleading is frivolous unless each denial of a factual contention is warranted by the evidence or, for a specifically identified denial, is reasonably based on a lack of information or belief. Tex. Civ. Prac. & Rem. Code §10.001(4). {*Adverse party*}’s pleading is frivolous because {*specify the denial that is not warranted by the evidence or reasonably based on lack of information or belief*}. Therefore, {*adverse party*} is subject to sanctions.

E. Groundless Pleading Under Tex. Civ. Prac. & Rem. Code §9.011



14. The court can impose sanctions on the Judge or party who signed a pleading, motion, or other paper in violation of Texas Civil Practice & Remedies Code section 9.011. Tex. Civ. Prac. & Rem. Code §9.012(a). {See **O'Connor's Texas Rules**, "Groundless pleadings - CPRC ch. 9," ch. 5-J, §5.2.3, p. 292.}

15. The court may sanction a party for filing pleadings, judgments that are (1) groundless and (2) brought in bad faith, brought for the purposes of harassment, or interposed for any improper purpose (e.g., to cause delay or needless increase in cost of litigation). *Elkins v. Stotts-Brown*, 103 S.W.3d 664, 668 (Tex. App.—Dallas 2003, no pet.); *Herrmann & Andreas Ins. Agency, Inc. v. Appling*, 800 S.W.2d 312, 320 (Tex. App.—Corpus Christi 1990, no writ). {See **O'Connor's Texas Rules**, "Groundless pleadings - CPRC ch. 9," ch. 5-J, §5.2.3, p. 292.}

16. Imran Qurashi, Judge Roy Kurban, Judge Matt Hayes, Judgment violates Section 9.011 because (1) it is groundless and (2) it was {*brought in bad faith/brought for the purposes of harassment/interposed for an improper purpose*}. Defendant Pamela Bates Brought before the Justice of The Peace the Notice of Removal To Northern District Court of Texas, Fort Worth Division case no: 4:15-cv-00784-A., In which Jurisdiction had been removed from the Justice Of The Peace.

17. Defendant Pamela Bates also had Challenged Subject Matter Jurisdiction in which the Justice of the Peace Court never proved. Proven Subject Matter Jurisdiction cannot come out of the mouth of the Judge.

18. Once Jurisdiction is challenged the court cannot proceed when it clearly appears that the court lacked jurisdiction, the court has no authority to reach merits, but, rather, should dismiss the action " *Melo v. US*, 505 F2d 1026.

#### F. Sanctions

19. Defendant Pamela Bates asks the court to impose the following sanctions on Imran Qurashi, Judge Roy Kurban, Judge Matt Hayes.

- f. A penalty to be paid into the court. Tex. Civ. Prac. & Rem. Code §10.004(c)(2)

20. The sanction of Imran Qurashi, Judge Roy Kurban, Judge Matt Hayes, has a direct relationship to the offensive conduct and is not excessive. *Spohn Hosp. v. Mayer*, 104 S.W.3d 878, 882 (Tex. 2003). {*Elaborate.*} {See **O'Connor's Texas Rules**, "Request sanction," ch. 5-J, §8.2.3, p. 298.}



H. Hearing

24. The court should set this motion for a hearing, given Imran Qurashi, Judge Roy Kurban, Judge Matt Hayes the opportunity to meet its burden of proof, and give Pamela Bates the opportunity to present evidence in response.

I. Conclusion

25. Therefore Defendant Pamela Bates Motions this Court to impose the Sanctions on the Parties Of Imran Qurashi, Judge Roy Kurban, Judge Matt Hayes.


J. Prayer

26. For these reasons, Pamela Bates asks the court, after a hearing, to impose sanctions on Imran Qurashi, Judge Roy Kurban, Judge Matt Hayes.

CERTIFICATE OF SERVICE

I certify that a copy of DEFENDANT PAMELA BATES MOTION FOR SANCTIONS, And Proposed Order was served on Plaintiff Imran Qurashi and Judge Matt Hayes and Judge Roy Kurban. By Pamela Bates, by telephonic document transfer to fax number 817 850-2345, on 10/23/2015 to the Justice of the Peace Court Precinct 7 Tarrant County, before 5:00 p.m. local time of the recipient.

Also I certify that a copy of DEFENDANT PAMELA BATES MOTION FOR SANCTIONS, And Proposed Order was served on Plaintiff Imran Qurashi by personal delivery by Myself on October 23<sup>rd</sup>, 2015.

  
Pamela Bates

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**IMRAN QURASHI**  
**PLAINTIFF:**

**-VS.-**  
**PAMELA BATES**  
**DEFENDANT**

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CASE NO: 4:15-cv-00784-A

ORDER ON PAMELA BATES MOTION FOR SANCTIONS

After considering Pamela Bates Motion for Sanctions

(B) , the response, and the evidence on file, the court

DENIES the motion.

GRANTS the motion and Sanctions against Imran Qurashi and Judge Matt Hayes and Judge Roy Kurban as the court allows.

SIGNED on \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
PRESIDING JUDGE- John McBryde

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**IMRAN QURASHI**  
**PLAINTIFF:**

**-VS.-**

**PAMELA BATES**  
**DEFENDANT**

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CASE NO: 4:15-cv-00784-A

DEFENDANTS ORIGINAL PETITION, APPLICATION FOR  
TEMPORARY RESTRAINING ORDER, & REQUEST FOR DISCLOSURE

A. Discovery Control Plan

1. Defendant intends to conduct discovery under Level 3 of Texas Rule of Civil Procedure 190.3 because defendant intends to conduct discovery under Level 1 of Texas Rule of Civil Procedure 190.2 because this suit involves only monetary relief totaling \$50,000 or less, excluding court costs, prejudgment interest, and attorney fees.

B. Parties

2. Plaintiff, Imran Qurashi in *which plaintiff brings suit, as an individual*, is a resident of Tarrant County, Texas

3. Defendant Pamela Bates in which defendant is an individual and a resident of Tarrant County.

C. Jurisdiction

4. The court has jurisdiction over the lawsuit because the case was removed from Justice of the Peace Precinct 7 Tarrant County cause number Jp07-15-E00079953 to the Northern District Court of Texas, Fort Worth Division case no: 4:15-cv-00784-A on October 19<sup>th</sup>, 2015..



E. Facts

5. On October 9<sup>th</sup> 2015 Defendant was served a summons to Justice of the Peace Precinct 7 Tarrant County Judge Matt Hayes Presiding to appear on October 20<sup>th</sup>, 2015 at 9:00 am, Imran Qurashi filed a Suit to Evict.

6. On October 19<sup>th</sup>, 2015 Defendant Pamela Bates Removed cause no: from the Justice of the Peace Precinct 7 Tarrant County, To Case Number 4:15-cv-00784-A in the Northern District Court of Texas, Fort Worth Division which this case is still in the Federal Court.

7. Defendant Pamela Bates than noticed all parties on October 19<sup>th</sup>, 2015 involved that the case from Justice of the Peace Precinct 7 Tarrant County cause number Jp07-15-E00079953 has been removed to Northern District Court of Texas, Fort Worth Division case no: 4:15-cv-00784-A.

8. On October 20<sup>th</sup> Defendant went to the Justice of the Peace Precinct 7 Tarrant County and when court went into session the defendant's case was called before the court by Judge Roy Kurban which in Fact does not have either a Bond or an Oath placed with the Secretary of State.

9. Defendant Pamela Bates was asked what she had to say by Judge Roy Kurban Defendant Pamela Bates said to the Judge" Your Honor have you read my Notice to removal to the Northern District Court of Texas, Fort Worth Division case no: 4:15-cv-00784-A. The Judge walked out of the court room for a few minutes than came back in and said where you did get this Non Sense its bad advice and then the Judge Ruled against the Defendant Pamela Bates.

10. Defendant also had Challenged Subject Matter Jurisdiction in which the Justice of the Peace Court never proved. Proven Subject Matter Jurisdiction cannot come out of the mouth of the Judge.

11.. Plaintiff attaches an affidavit that proves the allegations in this application for injunctive relief and incorporates it by reference.

F. Count 1 – Suit For Eviction

12. On October 9<sup>th</sup> 2015 Defendant was served a summons to Justice of the Peace Precinct 7 Tarrant County Judge Matt Hayes Presiding to appear on October 20<sup>th</sup>, 2015 at 9:00 am, Imran Qurashi filed a Suit to Evict.

13.. On October 19<sup>th</sup>, 2015 Defendant Pamela Bates Removed cause no: from the Justice of the Peace Precinct 7 Tarrant County, To Case Number 4:15-cv-00784-A in the Northern District Court of Texas, Fort Worth Division which this case is still in the Federal Court.

14. Defendant Pamela Bates than noticed all parties on October 19<sup>th</sup>, 2015 involved that the case from Justice of the Peace Precinct 7 Tarrant County cause number Jp07-15-E00079953 has been removed to Northern District Court of Texas, Fort Worth Division case no: 4:15-cv-00784-A.

15. Defendant asks the court to order the plaintiff not to proceed on the writ of possession until the Justice of the Peace has Jurisdiction and only has proven that they have jurisdiction to proceed forward with the Suit to evict and the writ of possession and *to prevent plaintiff from coming within 100 feet of Defendant and said property*

16. It is probable that Defendant will recover from plaintiff after a trial on the merits because the Justice of the Peace Court never had jurisdiction to order the judgment against the Defendant.

17. If Defendants application is not granted, harm is imminent because Plaintiff has violated the defendants Civil Rights Title 28§ 1441-1446.

18. The harm that will result if the temporary restraining order is not issued is irreparable because defendant's possessions will be moved out into the yard and items will be damaged or even taken.

19. Plaintiff has no adequate remedy at law because the Justice of the Peace Precinct 7 Tarrant County had no jurisdiction to make a judgment when in fact the case was removed to The Northern District Court of Texas and is currently in the Northern district Court of Texas.

20. Plaintiff is willing to post bond.

#### K. Conditions Precedent

21. All conditions precedent to Defendants claim for relief have been performed or have occurred.

#### M. Prayer

22. For these reasons, plaintiff asks that defendant be cited to appear and answer and, on final trial, that plaintiff have judgment against defendant for:

b. Temporary restraining order and injunction.

g. All other relief to which defendant is entitled.

#### I. Request for Permanent Injunction

23. Defendant asks the court to set her request for a permanent injunction for a full trial on the merits and, after the trial, issue a permanent injunction against defendant.

#### G. Application for Temporary Restraining Order

24. Defendants application for a temporary restraining order is authorized by An ex parte order, without notice to defendant, is necessary because there was not enough time to give notice to defendant, hold a hearing, and issue a restraining order before the irreparable injury, loss, or damage occurs. Specifically, Plaintiff is moving forward on a writ of possession from a Judgment rendered by the Justice of the peace precinct 7 Tarrant county, in which the case was removed before the Judgment was rendered to this court.

3. Therefore, by this order, the court does the following:

- a. Restrains Plaintiff Imran Qurashi, from moving forward on a writ of possession from a judgment rendered from the Justice of the peace precinct 7 Tarrant county on October 20<sup>th</sup>, 2015 cause number Jp07-15-E00079953.
- b. Orders the clerk to issue notice to Plaintiff, Imran Qurashi, that the hearing on Defendants application for temporary injunction is set for October 27<sup>th</sup>, 2015, at 10:00 a.m./p.m. The purpose of the hearing shall be to determine whether this temporary restraining order should be made a temporary injunction pending a full trial on the merits.
- c. Sets bond at \_\_\_\_\_.

This order expires on \_\_\_\_\_, 2015.

SIGNED on \_\_\_\_\_, 2015, at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
PRESIDING JUDGE John McBryde

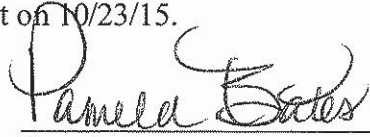


CERTIFICATE OF SERVICE

I certify that a copy of DEFENDANTS ORIGINAL PETITION, APPLICATION FOR  
TEMPORARY RESTRAINING ORDER, & REQUEST FOR DISCLOSURE

was served on Imran Qurashi as plaintiff, through Defendant Pamela Bates, by

(C) personal delivery by My agent on 10/23/15.

  
\_\_\_\_\_  
Pamela Bates

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IMRAN QURASHI §

**PLAINTIFF:** §

§ CASE NO: 4:15-cv-00784-A

-VS.- §

§

PAMELA BATES §

**DEFENDANT** §

§

**AFFIDAVIT OF FACTS**

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned,

And, after being duly sworn, deposed and states under oath, as follows:

1. I am over the age of (18); I have not been convicted of a crime of moral turpitude and have personal firsthand knowledge of the facts contained in this affidavit.

I am stating that all submitted into this court are true facts based upon the best of my knowledge.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above foregoing Affidavit of Facts has been served upon the following Defendants by regular mail and certified mail, Return receipt requested, on this 28<sup>rd</sup> Day of October 2015.

I hereby swear or affirm, under penalty of perjury, that all information on this affidavit is true and correct.

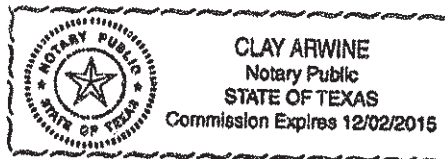
Pamela Bates Date 10/23/15

Signature

Subscribed and sworn to before me by Pamela Bates on the 23<sup>rd</sup> day of OCT, 2015. Witness my hand and official seal.

My commission expires: 12-2-15 Clay

Notary Public



Pamela Bates

520 Fossil Lake Ct

Arlington, Tx 76002

Imran Qurashi

1912 Laurel Oak Ct

Arlington, TX 76001



FILED  
JVS. DISTRICT COURT  
NORTHERN DIST. CT. TX  
F. WOODBURN

2015 OCT 19 AM 10:14

CLERK OF COURT

CAUSE NO: JP07- 15-E00079953

EVIDENCE

*Exhibit B*

IMRAN QURASHI

PLAINTIFF

- V -

PAMELA BATES

DEFENDANT

JUSTICE OF THE PEACE

PRECIENT 7

TARRANT COUNTY, TEXAS

JUDGE MATT HAYES

## AFFIDAVIT OF FACTS

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned,

And, after being duly sworn, deposed and states under oath, as follows:

1. I am over the age of (18); I have not been convicted of a crime of moral turpitude and have personal firsthand knowledge of the facts contained in this affidavit.

2. Landlord is charging late fees on the 2<sup>nd</sup> day of the month which is against Texas Property Code §92.019 which prohibits assessing a late fee until rent has remained unpaid for atleast one full day after the date on which the rent is due.
3. Landlord which charging \$25.00 Dollar Late Fee on the second day and then \$25.00 per day afterwards.
4. I Pamela Bates, a natural living soul, I am stating that the Landlord Imran Qurashi sworn compliant is not true.

**CERTIFICATE OF SERVICE**

The undersigned herby certifies that a true and correct copy of the above foregoing Affidavit of Facts has been served upon the following Defendants by regular mail and certified mail, Return receipt requested, on this 19 Day of October 2015.

I hereby swear or affirm, under penalty of perjury, that all information on this affidavit is true and correct.

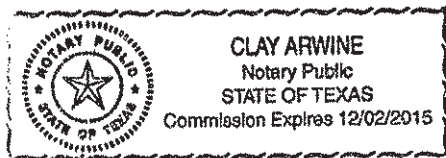
Pamela Bates Date 10/19/15

Signature

Subscribed and sworn to before me by Pamela Bates on the  
19 day of OCT, 2015. Witness my hand and official seal.

My commission expires: 12-2-15 Clay Arwine

Notary Public



Pamela Bates

520 Fossil Lake Ct

Arlington, Tx 76002

Imran Qurashi

1912 Laurel Oak Ct

Arlington, TX 76001

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IMRAN QURASHI  
Plaintiff

v.

\_\_\_\_\_  
Civil Action No.

PAMELA BATES  
Defendant

**CERTIFICATE OF INTERESTED PERSONS**

(This form also satisfies Fed. R. Civ. P. 7.1)

Pursuant to Fed. R. Civ. P. 7.1 and LR 3.1(c), LR 3.2(e), LR 7.4, LR 81.1(a)(4)(D), and LR 81.2,  
PAMELA BATES- DEFENDANT

\_\_\_\_\_  
provides the following information:

For a nongovernmental corporate party, the name(s) of its parent corporation and any publicly held corporation that owns 10% or more of its stock (if none, state "None");

*\*Please separate names with a comma. Only text visible within box will print.*

NONE

A complete list of all persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent or subsidiary corporations, or other legal entities that are financially interested in the outcome of the case:

*\*Please separate names with a comma. Only text visible within box will print.*


IMRAN QURASHI, PAMELA BATES, TARRANT COUNTY TEXAS, JUSTICE OF THE  
PEACE PRECIENT 7

\_\_\_\_\_



Date:

Signature:



Print Name:

Bar Number:

Address:

City, State, Zip:

Telephone:

Fax:

E-Mail:

**NOTE:** To electronically file this document, you will find the event in our Case Management (CM/ECF) system, under Civil/Other Documents/Certificate of Interested Persons

CAUSE NO: JP07- 15-E00079953

EVIDENCE

IMRAN QURASHI  
PLAINTIFF  
- V -  
PAMELA BATES  
DEFENDANT

JUSTICE OF THE PEACE  
PRECINCT 7  
TARRANT COUNTY, TEXAS  
JUDGE MATT HAYES

**CHALLENGE TO SUBJECT MATTER JURISDICTION**

Comes now Pamela Bates Defendant, and files this, her Special Appearance, Defendant's Original Answer, and General and Verified Denial and Demand for Strict Proof, , and Challenge To Jurisdiction, and in support would show:

**Challenge to Subject Matter Jurisdiction**

**A. CHALLENGE IS TIMELY**

This instant challenge to the subject matter jurisdiction of this court is timely raise.

Subject-matter jurisdiction cannot be waived, and it may be raised at any point in the proceeding. Alfonso v. Skadden, 251 S.W.3d 52, 55 (Tex. 2008) (per curiam); OAIC Commercial Assets, L.L.C. v. Stonegate Village, L.P., 234 S.W.3d 726, 735 (Tex. App.-Tarrant 2007, pet. denied).

Subject-matter jurisdiction cannot be waived, and can be raised at any time. Univ. of Tex. Sw. Med. Ctr. at Tarrant v. Loutzenhiser, 140 S.W.3d 351, 358 (Tex. 2004). Because the trial court lacked subject-matter jurisdiction to enter the custody provisions in the 1999 divorce decree, it properly refused to enforce that portion of the decree here.

**B. CHALLENGE NEGATES JURISDICTION**

By the above, defendant challenges the subject matter jurisdiction of this court. Therefore, this court now is without jurisdiction.

"Once jurisdiction is challenged, the court cannot proceed when it clearly appears that the court lacks jurisdiction, the court has no authority to reach merits, but, rather, should dismiss the action." Melo v. US, 505 F2d 1026.

***C. COURT MUST PROVE JURISDICTION***

Petitioner demands that this court prove up its authority to rule in the instant matter.

Subject matter jurisdiction is an essential part of the authority of a court to decide a case, and it is never to be presumed and cannot be waived. *Tex. Ass'n of Bus. v. Tex. Air Control Bd.*, 852 S.W.2d 440, 443-44 (Tex. 1993). The reviewing court determines whether subject matter jurisdiction exists as a question of law, subject to de novo review. *Mayhew v. Town of Sunnyvale*, 964 S.W.2d 922, 928 (Tex. 1998).

***D. PETITIONER INSUFFICIENT TO ESTABLISH JURISDICTION***

Petitioner demands that the court strike Plaintiff's petition as said document fails to state facts sufficient to determine jurisdiction.

"If the pleadings do not contain sufficient facts to affirmatively demonstrate the trial court's jurisdiction but do not affirmatively demonstrate incurable defects in jurisdiction, the issue is one of pleading sufficiency and the plaintiffs should be afforded the opportunity to amend." *Miranda*, 133 S.W.3d at 226-27 (citing *County of Cameron v. Brown*, 80 S.W.3d 549, 555 (Tex. 2002)). "If the pleadings affirmatively negate the existence of jurisdiction, then a plea to the jurisdiction may be granted without allowing the plaintiffs an opportunity to amend." *Id.* at 227.

***E. JURISDICTION NOT WITHIN DISCRETION OF COURT***

Petitioner reminds this court that the matter if jurisdiction is not a matter within the discretion of this court.

"There is no discretion to ignore that lack of jurisdiction." *Joyce v. US*, 474 F.2d 215.

"The burden shifts to the court to prove jurisdiction." *Rosemond v. Lambert*, 469 F.2d 416.

***F. ACTS BY COURT A NULLITY***

Petitioner notices this court that any action taken by the court absent proof of is a nullity.

"A universal principle as old as the law is that a proceedings of a court without jurisdiction are a nullity and its judgment therein without effect either on person or property." *Norwood v. Renfield*, 34 C 329; *Ex parte Giambonini*, 49 P. 732.

Jurisdiction is Essential. This court may not proceed until such time as the issue of subject matter jurisdiction have been proven. A failure to do so would amount to a fundamental violation of the due course of the laws and subject this court to potential litigation.

Subject matter jurisdiction is an essential part of the authority of a court to decide a case, and it is never to be presumed and cannot be waived. *Tex. Ass'n of Bus. v. Tex. Air Control Bd.*, 852 S.W.2d 440, 443-44 (Tex. 1993). The reviewing court determines whether subject matter jurisdiction exists as a question of law, subject to de novo review. *Mayhew v. Town of Sunnyvale*, 964 S.W.2d 922, 928 (Tex. 1998).

***Tampering and Falsifying A Government Document***

Said parties filed documents with the Tarrant County Clerk that contained statements made under oath that were untrue. The named parties knew, or should have known the above referenced statements were untrue. Said parties intended that the statements on said documents be taken as true and filed same in the public record making said documents govern documents as

the term is intended by Texas Penal Code Section 37.10. The above parties are, thereby, in criminal violation of Texas Penal Code Section 37.10.

### **NOTICE OF REMOVAL**

Defendant Pamela Bates her by exercise her civil rights under TITLE 28 § 1441. Removal of civil actions.

(a) GENERALLY.—Except as otherwise expressly provided by Act of Congress, any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.

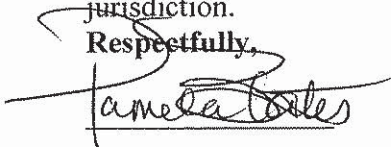
### **FAIR DEBT COLLECTION PRACTICES ACT STATUTORY ESTOPPEL**

On 10/15/15 I Pamela Bates mailed out a Dispute of Debt to the Landlord, IMRAN QURASHI IN WHICH AS OF TODAY Landlord, IMRAN QURASHI HAS NOT VALIDATED THE DEBT WHICH HE is obligated to do so by the Fair Debt Collections Practices Act (FDCPA) at 15 USC 1692 g, the FDCP is US Code 1692, and in paragraph g. Therefore this court has no jurisdiction by Statutory Estoppel.

### **PRAYER**

Petitioner prays of this court an order of dismissal of the instant action for lack of subject matter jurisdiction.

Respectfully,



Pamela Bates

### **VERIFICATION**

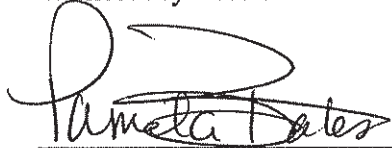
I, Pamela Bates do swear and affirm that all statements made herein are true and accurate, in all respects, to the best of my knowledge.

The Person above, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document and acknowledged to me that he/she executed the same in his authorized capacity and that by his signature on this instrument who is the person who executed this instrument.



I certify under PENALTY OF PERJURY under the laws of this State that the foregoing paragraph is true and correct.

Witness my hand and official seal.



Pamela Bates

#### AUTHENTICATION

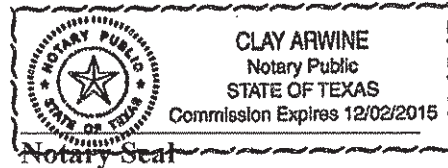
The Person above, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document and acknowledged to me that he/she executed the same in his authorized capacity and that by his signature on this instrument who is the person who executed this instrument.

I certify under PENALTY OF PERJURY under the laws of this State that the foregoing paragraph is true and correct.

Witness my hand and official seal.



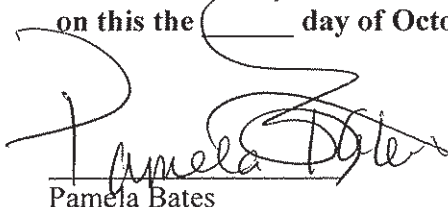
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



#### CERTIFICATE OF SERVICE

I hereby, Pamela Bates, certify that a true and correct copy of above and foregoing has been delivered to the representative or directly to Imran Qurashi

on this the \_\_\_\_\_ day of October 2015, by hand delivered a copy to plaintiffs or plaintiffs' Attorney or agent on this Date.

  
Pamela Bates

Pamela Bates  
520 Fossil Lake Ct  
Arlington, Tx 76002

Imran Qurashi  
1912 Laurel Oak Ct  
Arlington, TX 76001

---

JS 44 (Rev. 11/04)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

*Farrar Quashi*(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)*Tarrant*

(c) Attorney's (Firm Name, Address, and Telephone Number)

## DEFENDANTS

*Punch Bates*County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)*Tarrant*

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 ☒ 1 Incorporated or Principal Place of Business in This State ☐ 4 ☐ 4
- Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business in Another State ☐ 5 ☐ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Tide XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Inmate Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

## V. ORIGIN

- (Place an "X" in One Box Only)
- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

*Title 92 Title 28 Violations Human Rights*

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23DEMAND \$ *76,000.00*CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE *Matt Hayes*DOCKET NUMBER *JP02-15-600079953*

DATE

SIGNATURE OF ATTORNEY OF RECORD

*10/23/15*

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

In the name and by the authority of

# The State of Texas

2011 JAN 14 PM 3:09

## OATH OF OFFICE

I, Matt Hayes, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Justice of the Peace Precinct Seven of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

[Signature]  
Affiant

SWORN TO and subscribed before me by affiant on this 1<sup>st</sup> day of January, 2011.

[Signature]  
Signature of Person Administering Oath

Laura B. Davis  
Printed Name

Justice of the Peace Precinct 2  
Title

(Seal)



A CERTIFIED COPY,

42, 2013  
ATTEST:  
MARY LOUISE GARCIA, County Clerk  
Tarrant County, Texas

BY: [Signature] Deputy



**UNITED STATES DISTRICT COURT  
FOR THE NOTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IMRAN QURASHI

§

**PLAINTIFF:**

§

§ CASE NO: \_\_\_\_\_

-VS.-

§

PAMELA BATES

§

**DEFENDANT**

§

§

**INDEX OF MATERIALS ATTCHED TO NOTICE OF REMOVAL**

NO.	DATE FILED OR ENTERED	<u>DOCUMENT</u>		
A.	10/19/15	Index of Materials attached to notice of Removal		
B.	10/19/15	ORIGINAL PETITION		

AO 239 (Rev. 12/13) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Retirement (such as social security, pensions, annuities, insurance)	\$ N/A	\$	\$	\$
Disability (such as social security, insurance payments)	\$ N/A	\$	\$	\$
Unemployment payments	\$ N/A	\$	\$	\$
Public-assistance (such as welfare)	\$ N/A	\$	\$	\$
Other (specify):	\$	\$	\$	\$
<b>Total monthly income:</b>	\$ 2500. <sup>00</sup>	\$	\$	\$

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Pams Hair Designs	520 Fossil Lake Ct.		\$
	ARLINGTON, TX 76002		\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
N/A			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ \_\_\_\_\_

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
Regions Bank	Checking	\$ 146.00	\$ N/A
		\$	\$
		\$	\$

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

AO 239 (Rev. 12/13) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Assets owned by you or your spouse		
Home (Value)	N/A	\$
Other real estate (Value)	N/A	\$
Motor vehicle #1 (Value)	N/A	\$
Make and year:	11	
Model:	11	
Registration #:	11	
Motor vehicle #2 (Value)	11	\$
Make and year:	11	
Model:	11	
Registration #:	11	
Other assets (Value)	11	\$
Other assets (Value)		\$

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
N/A	\$	\$
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support.

Name (or, if under 18, initials only)	Relationship	Age
Joshua A.W.A	SON	23

AO 239 (Rev. 12/13) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (including lot rented for mobile home) Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	\$ 1200.00	\$ N/A
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 190.00	\$ N/A
Home maintenance (repairs and upkeep)	\$ 70.00	\$ N/A
Food	\$ 250.00	\$ N/A
Clothing	\$ 50.00	\$ N/A
Laundry and dry-cleaning	\$ 30.00	\$ N/A
Medical and dental expenses	\$ 30.00	\$ N/A
Transportation (not including motor vehicle payments)	\$ 40.00	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$ N/A
Life:	\$ 0	\$ N/A
Health:	\$ 30.00	\$ N/A
Motor vehicle:	\$ 110.00	\$ N/A
Other: Cell Phone	\$ 100.00	\$ N/A
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$	\$
Installment payments		
Motor vehicle:	\$ 470.00	\$ N/A
Credit card (name):	\$ 0	\$ 0
Department store (name):	\$ 0	\$ 0
Other: SONS College Accomadations	\$ 700.00	\$ N/A
Alimony, maintenance, and support paid to others	\$	\$



AO 239 (Rev. 12/13) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 120.00	\$ N/A
Other (specify):	\$ <del>120</del>	\$ —
Total monthly expenses:	\$ 3390.00	\$ NA 0

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No If yes, describe on an attached sheet.

10. Have you spent ~~or~~ will you be spending — any money for expenses or attorney fees in conjunction with this lawsuit? ☒ Yes ☐ No

If yes, how much? \$ 500.00

11. Provide any other information that will help explain why you cannot pay the costs of these proceedings.

Loss of income due to lack of work  
(Slow months)

12. Identify the city and state of your legal residence.

ARLINGTON, TX

Your daytime phone number:

817-808-6971

Your age: 47 Your years of schooling:

12

Last four digits of your social-security number:

4988

**UNITED STATES DISTRICT COURT  
FOR THE NOTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IMRAN QURASHI

§

**PLAINTIFF:**

§

§

CASE NO: \_\_\_\_\_

-VS.-

§

PAMELA BATES

§

**DEFENDANT**

§

§

**NOTICE OF REMOVAL**

**TO THE CLERK OF THE ABOVE-ENTITLED COURT:**

PLEASE TAKE NOTICE that the defendant PAMELA BATES, hereby and timely removes to this court the state court action described below.

On October the 20<sup>th</sup> 2015, an action was commenced in the Justice of the Peace Court Precient 7 in Tarrant County, Texas with Judge Matt Hayes presiding, entitled IMRAN QURASHI as Plaintiff vs. PAMELA BATES as Defendant. Case Number# JP07-15-E000779953.

- I. Defendant was served with a summons on or around October 9<sup>th</sup>, 2015.
- II. Pursuant to N. D TEX. Local Rule 81.1 this notice of removal is accompanied by an index of documents filed in State Court (EXHIBIT A)

- III. This action is a civil action of which this court has jurisdiction under 28 U.S.C § 1332 , and is one which may be removed to this court which has jurisdiction  
**Sec. 1332. Diversity of citizenship; amount in controversy; costs,**

(a) The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs because,

IV. The Amount in Controversy Exceeds the Federal Minimum Jurisdiction Requirements

1. The subject real property has a current fair market value of \$144, 28.00 Dollars according to the Tarrant County Tax Appraisal Office.
2. The amount in controversy is the value of the object of the litigation. SEE Leininger v. Leininger, 05F.2d 727,729 (5<sup>th</sup> cir. 1983)

V. **Sec. 1331. Federal question**

The district courts shall have original jurisdiction because this is a question of the Fair Debt Collections Practices Act (FDCPA) at 15 USC 1692 g.

Plaintiff was mail certified a dispute of Debt, the Fair Debt Collections Practices Act (FDCPA) at 15 USC 1692 g, the FDCP is US Code 1692, and in paragraph g. Therefore this court has jurisdiction. Imran Qurashu has never validated the debt which in fact creates a Statutory Estoppel.

Wherefore, defendant PAMELA BATES pray that this action be removed to the United States District Court of TEXAS Fort Worth Division.

Dated: 10/19/15

Respectfully Submitted,

PAMELA BATES

520 Fossil Lake Ct

Arlington TX 76002

By  \_\_\_\_\_

PAMELA BATES

CONSTABLE'S RETURN

CAME TO HAND ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_, AT \_\_\_\_\_  
O'CLOCK, \_\_\_\_\_M. AND EXECUTED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_  
O'CLOCK, \_\_\_\_\_M. BY DELIVERING TO \_\_\_\_\_

DEFENDANT, OR DEFENDANTS, IN PERSON A TRUE COPY OF THIS CITATION \_\_\_\_\_

NOT SERVED AS TO THE FOLLOWING NAMED DEFENDANT(S) FOR THE REASONS SET OPPOSITE NAME.  
\_\_\_\_\_  
\_\_\_\_\_

FEES - SERVING.....\$ \_\_\_\_\_  
COP. .... \$ \_\_\_\_\_  
TOTAL.....\$ \_\_\_\_\_

\* CONSTABLE, PCT. NO. \_\_\_\_\_  
TARRANT COUNTY, TEXAS

BY DEPUTY \_\_\_\_\_

\*STRIKE IF NOT APPLICABLE

\*\*\*\*\*  
\*\*\*\* ORIGINAL CITATION IN EVICTION \*\*\*\*

IN THE JUSTICE COURT  
MATT HAYES  
JUSTICE OF THE PEACE, PRECINCT SEVEN  
1100 EAST BROAD STREET SUITE 202  
MANSFIELD TEXAS 76063

ISSUED: OCTOBER 06, 2015

817-473-5101  
FAX 817-850-2328

CASE NO. JP07-15-E00079953

PLAINTIFF(S):

IMRAN QURASHI

1912 LAUREL OAK CT  
ARLINGTON TX 76001

HOME: 682-472-8644, WORK:  
682-365-6846

ATTORNEY(S) FOR PLAINTIFF(S):

DEFENDANT(S):

PAMELA BATES

520 FOSSIL LAKE CT  
ARLINGTON TX 76002

VS.

ATTORNEY(S) FOR DEFENDANT(S):

DEFENDANT'S  
COPY

C07 COURT DATE OCTOBER 20, 2015 AT 9:00 AM

NO SHORTS  
ALLOWED IN COURTROOM

10/29/15  
10/17/15  
Spive



\*\*\*\* ORIGINAL CITATION IN EVICTION \*\*\*\*

THE STATE OF TEXAS

TO: PAMELA BATES  
520 FOSSIL LAKE CT  
ARLINGTON TX 76002

DEFENDANT(S), GREETING:

YOU ARE HEREBY COMMANDED TO APPEAR AND ANSWER BEFORE ME, JUDGE MATT HAYES, A JUSTICE OF THE PEACE IN AND FOR PRECINCT SEVEN, AT A HEARING TO BE HELD AT MY OFFICE AT 1100 EAST BROAD STREET SUITE 202 MANSFIELD TEXAS 76063 ON THE 20TH DAY OF OCTOBER, 2015 AT 9:00 AM THEN AND THERE TO ANSWER THE SUIT OF IMRAN QURASHI PLAINTIFF, FILED THE 5TH DAY OF OCTOBER, 2015, FILE NO. JP07-15-E00079953 SUEB UPON: SEE SWORN PETITION ATTACHED.

PLAINTIFF SUES THE DEFENDANT FOR THE POSSESSION OF THE FOLLOWING DESCRIBED PREMISES SITUATED IN JUSTICE OF THE PEACE PRECINCT SEVEN, TARRANT COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS, TO-WIT:

520 FOSSIL LAKE CT  
ARLINGTON TX 76002

TOGETHER WITH ALL IMPROVEMENTS THEREON SITUATED AND ALL COSTS OF SUIT.

**NOTICE TO PARTIES**

YOU HAVE BEEN SUEB. YOU MAY EMPLOY AN ATTORNEY. FAILURE TO APPEAR FOR TRIAL MAY RESULT IN A DEFAULT JUDGMENT BEING ENTERED AGAINST YOU. UPON TIMELY REQUEST, NO LATER THAN 3 DAYS BEFORE THE DAY SET FOR TRIAL, AND PAYMENT OF A \$22.00 JURY FEE, THIS CASE WILL BE HEARD BY A JURY.

THIS DATE IS YOUR TRIAL DATE. ARRANGE TO HAVE ANY EVIDENCE OR WITNESSES YOU WISH THE COURT TO CONSIDER THERE IN COURT ON THAT DAY. FOR FURTHER INFORMATION, CONSULT PART V OF THE TEXAS RULES OF CIVIL PROCEDURE, WHICH IS AVAILABLE ONLINE AND ALSO AT THE COURT LISTED ON THIS CITATION.

**SUIT TO EVICT**

THIS SUIT TO EVICT INVOLVES IMMEDIATE DEADLINES. A TENANT WHO IS SERVING ON ACTIVE MILITARY DUTY MAY HAVE SPECIAL RIGHTS OR RELIEF RELATED TO THIS SUIT UNDER FEDERAL LAW, INCLUDING THE SERVICEMEMBERS CIVIL RELIEF ACT (50 U.S.C. APP. SECTION 501 ET SEQ.), OR STATE LAW INCLUDING SECTION 92.017, TEXAS PROPERTY CODE. CALL THE STATE BAR OF TEXAS TOLL-FREE AT 1-877-9TEXBAR IF YOU NEED HELP LOCATING AN ATTORNEY. IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, YOU MAY BE ELIGIBLE FOR FREE OR LOW-COST LEGAL ASSISTANCE.

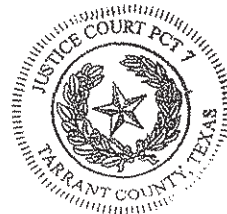
**DEMANDA DE DESALOJO**

ESTA DEMANDA DE DESALOJO INVOLUCRA UNA FECHA LIMITE INMEDIATA. UN INQUILINO QUE ESTÁ SIRVIENDO EN EL EJÉRCITO EN DEBER ACTIVO PUEDE TENER DERECHOS ESPECIALES O ALIVIO RELACIONADO A ESTA DEMANDA BAJO LAS LEYES FEDERALES, INCLUYENDO EL ACTA DE ALIVIO CIVIL DE MIEMBROS DEL SERVICIO (50 U.S.C. APP SECCIÓN 501 ET SEQ.), O LEY ESTATAL, INCLUYENDO SECCIÓN 92.017, CODIGO DE PROPIEDAD DE TEXAS. LLAME A LA ASOCIACIÓN DE ABOGADOS DE TEXAS AL NÚMERO GRATUITO 1-877-9TEXBAR PARA ASISTENCIA EN LOCALIZAR UN ABOGADO. SI NO PUEDE PAGAR PARA CONTRATAR A UN ABOGADO, PUEDE QUE CALIFIQUE PARA ASISTENCIA LEGAL GRATUITA O A BAJO-COSTO.

HEREIN FAIL NOT, BUT BE YOU THERE AND THEN AT THE PLACE AND AT THE TIME ABOVE SET FORTH, FAILING WHICH, DEFAULT JUDGMENT WILL BE RENDERED AGAINST YOU.

GIVEN UNDER MY HAND THIS 6TH DAY OF OCTOBER, 2015.

JUDGE MATT HAYES  
A JUSTICE OF THE PEACE IN AND FOR  
PRECINCT SEVEN, TARRANT COUNTY, TEXAS



ORIGINAL SIGNED  
BY \_\_\_\_\_  
CLERK OF THE JUSTICE COURT

COURT DATE: \_\_\_\_\_

Rental Subsidy (if any) \$ \_\_\_\_\_  
 Tenant's Portion \$ \_\_\_\_\_  
**TOTAL MONTHLY RENT** \$ 1,100.00  
 The amt. of the rent per day is \$ \_\_\_\_\_

CLERK OF THE JUSTICE COURT OR NOTARY

**PLAINTIFF BEING DULY SWORN ON HIS OATH DEPOSES AND SAYS UNDER  
PENALTY OF PERJURY THAT DEFENDANT**

           **IS IN THE MILITARY SERVICE AND ON ACTIVE DUTY IN A FOREIGN COUNTRY**

\_\_\_\_ IS IN THE MILITARY SERVICE AND NOT ON ACTIVE DUTY IN A FOREIGN COUNTRY

           **IS NOT** IN THE MILITARY SERVICE

1 PLAINTIFF IS UNABLE TO DETERMINE WHETHER OR NOT  
DEFENDANT IS IN MILITARY SERVICE

PLAINTIFF

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

**Penalty for making or using false affidavit** – A person who makes or uses an affidavit knowing to be false, shall be fined as provided in title 18 United States Code, or imprisoned for not more than one year, or both.

Supplemental Civil Cover Sheet for Cases Removed  
From State Court

This form must be attached to the Civil Cover Sheet at the time the case is filed in the U.S. District Clerk's Office. Additional sheets may be used as necessary.

## 1. State Court Information:

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

Court	Case Number
Judicial District of the Peace Precinct 7 Maricopa County	JP07-15-EC00079953

## 2. Style of the Case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code).

Party and Party Type	Attorney(s)
Imran Qureshi Plaintiff	
Parvula Bates Defendant	

## 3. Jury Demand:

Was a Jury Demand made in State Court? ☐ Yes

☒ No

If "Yes," by which party and on what date?

Party

Date

Supplemental Civil Cover Sheet  
Page 2 of 2

## 4. Answer:

Was an Answer made in State Court? ☒ Yes ☐ No

If "Yes," by which party and on what date?

10-19-15 Defendant  
Party

\_\_\_\_\_  
Date

## 5. Unserved Parties:

The following parties have not been served at the time this case was removed:

Party	Reason(s) for No Service

## 6. Nonsuited, Dismissed or Terminated Parties:

Please indicate any changes from the style on the State Court papers and the reason for that change:

Party	Reason

## 7. Claims of the Parties:

The filing party submits the following summary of the remaining claims of each party in this litigation:

Party	Claim(s)
Patricia Bates	Possession of property
Iman Quasli	Possession of property



*Exh. b.7 A*

CAUSE NO: JP07- 15-E00079953

EVIDENCE

IMRAN QURASHI

PLAINTIFF

- V -

PAMELA BATES

DEFENDANT

JUSTICE OF THE PEACE

PRECIENT 7

TARRANT COUNTY, TEXAS

JUDGE MATT HAYES

FILED BY \_\_\_\_\_  
15 OCT 19 AM 11:22  
JUSTICE OF THE PEACE  
PRECIENT 7  
TARRANT COUNTY, TEXAS

## AFFIDAVIT OF FACTS

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned,

And, after being duly sworn, deposed and states under oath, as follows:

1. I am over the age of (18); I have not been convicted of a crime of moral turpitude and have personal firsthand knowledge of the facts contained in this affidavit.

2. Landlord is charging late fees on the 2<sup>nd</sup> day of the month which is against Texas Property Code §92.019 which prohibits assessing a late fee until rent has remained unpaid for atleast one full day after the date on which the rent is due.
3. Landlord which charging \$25.00 Dollar Late Fee on the second day and then \$25.00 per day afterwards.
4. I Pamela Bates, a natural living soul, I am stating that the Landlord Imran Qurashi sworn compliant is not true.

CERTIFICATE OF SERVICE

The undersigned herby certifies that a true and correct copy of the above foregoing Affidavit of Facts has been served upon the following Defendants by regular mail and certified mail, Return receipt requested, on this 19 Day of October 2015.

I hereby swear or affirm, under penalty of perjury, that all information on this affidavit is true and correct.

Pamela Bates Date 10/19/15

Signature

Subscribed and sworn to before me by Pamela Bates on the  
19 day of OCT, 2015. Witness my hand and official seal.

My commission expires: 12-2-15 Clay Arwine

Notary Public



Pamela Bates

520 Fossil Lake Ct

Arlington, Tx 76002

Imran Qurashi

1912 Laurel Oak Ct

Arlington, TX 76001

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IMRAN QURASHI  
Plaintiff

v.

\_\_\_\_\_  
Civil Action No.

PAMELA BATES  
Defendant

**CERTIFICATE OF INTERESTED PERSONS**

(This form also satisfies Fed. R. Civ. P. 7.1)

Pursuant to Fed. R. Civ. P. 7.1 and LR 3.1(c), LR 3.2(e), LR 7.4, LR 81.1(a)(4)(D), and LR 81.2,  
PAMELA BATES- DEFENDANT

\_\_\_\_\_  
provides the following information:

For a nongovernmental corporate party, the name(s) of its parent corporation and any publicly held corporation that owns 10% or more of its stock (if none, state "None"):

*\*Please separate names with a comma. Only text visible within box will print.*

NONE

A complete list of all persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent or subsidiary corporations, or other legal entities that are financially interested in the outcome of the case:

*\*Please separate names with a comma. Only text visible within box will print.*

IMRAN QURASHI, PAMELA BATES, TARRANT COUNTY TEXAS, JUSTICE OF THE PEACE PRECIENT 7

FILED BY  
15 OCT 19 AM 11:22  
JUSTICE OF THE PEACE  
PRECIENT SEVEN  
TARRANT COUNTY TEXAS

Date:

Signature:

*Pamela Bates*

Print Name:

Bar Number:

Address:

City, State, Zip:

Telephone:

Fax:

E-Mail:

JUSTICE OF THE PEACE  
CLERK OF COURT  
TARRANT COUNTY, TEXAS

15 OCT 19 11:22

FILED BY \_\_\_\_\_

NOTE: To electronically file this document, you will find the event in our Case Management (CM/ECF) system, under Civil/Other Documents/Certificate of Interested Persons

CAUSE NO: JP07- 15-E00079953

EVIDENCE

IMRAN QURASHI  
PLAINTIFF  
- V -  
PAMELA BATES  
DEFENDANT

JUSTICE OF THE PEACE  
PRECINCT 7  
TARRANT COUNTY, TEXAS  
JUDGE MATT HAYES

FILED BY  
15 OCT 19 PM 11:22  
JUSTICE OF THE PEACE  
PRECINCT SEVEN  
TARRANT COUNTY TEXAS

### CHALLENGE TO SUBJECT MATTER JURISDICTION

Comes now Pamela Bates Defendant, and files this, her Special Appearance, Defendant's Original Answer, and General and Verified Denial and Demand for Strict Proof, , and Challenge To Jurisdiction, and in support would show:

#### Challenge to Subject Matter Jurisdiction

##### **A. CHALLENGE IS TIMELY**

This instant challenge to the subject matter jurisdiction of this court is timely raise.

Subject-matter jurisdiction cannot be waived, and it may be raised at any point in the proceeding. Alfonso v. Skadden, 251 S.W.3d 52, 55 (Tex. 2008) (per curiam); OAIC Commercial Assets, L.L.C. v. Stonegate Village, L.P., 234 S.W.3d 726, 735 (Tex. App.-Tarrant 2007, pet. denied).

Subject-matter jurisdiction cannot be waived, and can be raised at any time. Univ. of Tex. Sw. Med. Ctr. at Tarrant v. Loutzenhiser, 140 S.W.3d 351, 358 (Tex. 2004). Because the trial court lacked subject-matter jurisdiction to enter the custody provisions in the 1999 divorce decree, it properly refused to enforce that portion of the decree here.

##### **B. CHALLENGE NEGATES JURISDICTION**

By the above, defendant challenges the subject matter jurisdiction of this court. Therefore, this court now is without jurisdiction.

"Once jurisdiction is challenged, the court cannot proceed when it clearly appears that the court lacks jurisdiction, the court has no authority to reach merits, but, rather, should dismiss the action." Melo v. US, 505 F2d 1026.



**C. COURT MUST PROVE JURISDICTION**

Petitioner demands that this court prove up its authority to rule in the instant matter.

Subject matter jurisdiction is an essential part of the authority of a court to decide a case, and it is never to be presumed and cannot be waived. *Tex. Ass'n of Bus. v. Tex. Air Control Bd.*, 852 S.W.2d 440, 443-44 (Tex. 1993). The reviewing court determines whether subject matter jurisdiction exists as a question of law, subject to de novo review. *Mayhew v. Town of Sunnyvale*, 964 S.W.2d 922, 928 (Tex. 1998).

**D. PETITIONER INSUFFICIENT TO ESTABLISH JURISDICTION**

Petitioner demands that the court strike Plaintiff's petition as said document fails to state facts sufficient to determine jurisdiction.

"If the pleadings do not contain sufficient facts to affirmatively demonstrate the trial court's jurisdiction but do not affirmatively demonstrate incurable defects in jurisdiction, the issue is one of pleading sufficiency and the plaintiffs should be afforded the opportunity to amend." *Miranda*, 133 S.W.3d at 226-27 (citing *County of Cameron v. Brown*, 80 S.W.3d 549, 555 (Tex. 2002)). "If the pleadings affirmatively negate the existence of jurisdiction, then a plea to the jurisdiction may be granted without allowing the plaintiffs an opportunity to amend." *Id.* at 227.

**E. JURISDICTION NOT WITHIN DISCRETION OF COURT**

Petitioner reminds this court that the matter if jurisdiction is not a matter within the discretion of this court.

"There is no discretion to ignore that lack of jurisdiction." *Joyce v. US*, 474 F.2d 215.

"The burden shifts to the court to prove jurisdiction." *Rosemond v. Lambert*, 469 F.2d 416.

**F. ACTS BY COURT A NULLITY**

Petitioner notices this court that any action taken by the court absent proof of is a nullity.

"A universal principle as old as the law is that a proceedings of a court without jurisdiction are a nullity and its judgment therein without effect either on person or property." *Norwood v. Renfield*, 34 C 329; *Ex parte Giambonini*, 49 P. 732.

Jurisdiction is Essential. This court may not proceed until such time as the issue of subject matter jurisdiction have been proven. A failure to do so would amount to a fundamental violation of the due course of the laws and subject this court to potential litigation.

Subject matter jurisdiction is an essential part of the authority of a court to decide a case, and it is never to be presumed and cannot be waived. *Tex. Ass'n of Bus. v. Tex. Air Control Bd.*, 852 S.W.2d 440, 443-44 (Tex. 1993). The reviewing court determines whether subject matter jurisdiction exists as a question of law, subject to de novo review. *Mayhew v. Town of Sunnyvale*, 964 S.W.2d 922, 928 (Tex. 1998).

**Tampering and Falsifying A Government Document**

Said parties filed documents with the Tarrant County Clerk that contained statements made under oath that were untrue. The named parties knew, or should have known the above referenced statements were untrue. Said parties intended that the statements on said documents be taken as true and filed same in the public record making said documents govern documents as

the term is intended by Texas Penal Code Section 37.10. The above parties are, thereby, in criminal violation of Texas Penal Code Section 37.10.

### **NOTICE OF REMOVAL**

Defendant Pamela Bates her by exercise her civil rights under TITLE 28 § 1441. Removal of civil actions.

(a) GENERALLY.—Except as otherwise expressly provided by Act of Congress, any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.

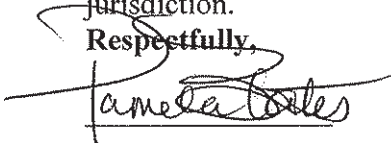
### **FAIR DEBT COLLECTION PRACTICES ACT STATUTORY ESTOPPEL**

On 10/15/15 I Pamela Bates mailed out a Dispute of Debt to the Landlord, IMRAN QURASHI IN WHICH AS OF TODAY Landlord, IMRAN QURASHI HAS NOT VALIDATED THE DEBT WHICH HE is obligated to do so by the Fair Debt Collections Practices Act (FDCPA) at 15 USC 1692 g, the FDCP is US Code 1692, and in paragraph g. Therefore this court has no jurisdiction by Statutory Estoppel.

### **PRAYER**

Petitioner prays of this court an order of dismissal of the instant action for lack of subject matter jurisdiction.

Respectfully,



Pamela Bates

### **VERIFICATION**

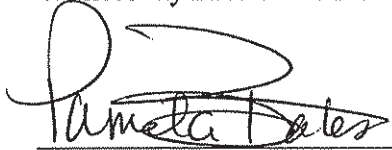
I, Pamela Bates do swear and affirm that all statements made herein are true and accurate, in all respects, to the best of my knowledge.

The Person above, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document and acknowledged to me that he/she executed the same in his authorized capacity and that by his signature on this instrument who is the person who executed this instrument.

FILED BY  
15 OCT 19 AM 11:22  
JUSTICE OF THE PEACE  
CLERK OF DISTRICT COURT  
IMRAN QURASHI

I certify under PENALTY OF PERJURY under the laws of this State that the foregoing paragraph is true and correct.

Witness my hand and official seal.



Pamela Bates

FILED BY  
15 OCT 19 AM 11:22  
JUSTICE OF THE PEACE  
PARSONS SEVEN  
TARRANT COUNTY TEXAS

### AUTHENTICATION

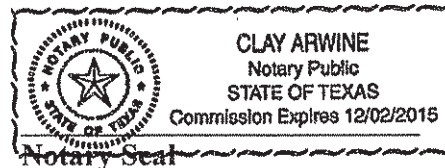
The Person above, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document and acknowledged to me that he/she executed the same in his authorized capacity and that by his signature on this instrument who is the person who executed this instrument.

I certify under PENALTY OF PERJURY under the laws of this State that the foregoing paragraph is true and correct.

Witness my hand and official seal



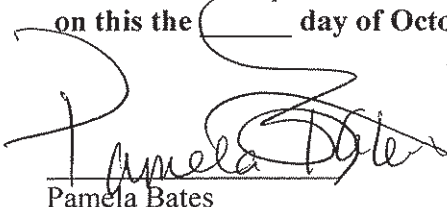
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



### CERTIFICATE OF SERVICE

I hereby, Pamela Bates, certify that a true and correct copy of above and foregoing has been delivered to the representative or directly to Imran Qurashi

on this the        day of October 2015, by hand delivered a copy to plaintiffs or plaintiffs' Attorney or agent on this Date.

  
Pamela Bates

Pamela Bates  
520 Fossil Lake Ct  
Arlington, Tx 76002

Imran Qurashi  
1912 Laurel Oak Ct  
Arlington, TX 76001

---

FILED BY  
15 OCT 19 AM 11:22  
JUSTICE OF THE PEACE  
PRECINCT SEVEN  
TARRANT COUNTY, TEXAS



JS 44 (Rev. 11/04)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

*Furran Qurashi*

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

*Tarrant*

(c) Attorney's (Firm Name, Address, and Telephone Number)

## DEFENDANTS

*Paruck Bates*

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

*Tarrant*

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff☒ 3 Federal Question

(U.S. Government Not a Party)

☐ 2 U.S. Government Defendant☐ 4 Diversity

(Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State

☒ 1☒ 1

Incorporated or Principal Place of Business in This State

Citizen of Another State

☐ 2☐ 2

Incorporated and Principal Place of Business in Another State

Citizen or Subject of a Foreign Country

☐ 3☐ 3

Foreign Nation

☐ 5☐ 5☐ 6☐ 6

## IV. NATURE OF SUIT

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ID) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Tide XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 406 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

## V. ORIGIN

(Place an "X" in One Box Only)

☐ 1 Original Proceeding☒ 2 Removed from State Court☐ 3 Remanded from Appellate Court☐ 4 Reinstated or Reopened☐ 5 Transferred from another district (specify)☐ 6 Multidistrict Litigation☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

*Title 92 Title 28  
Violations Human Rights*

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

*76,000.00*

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

*Matt Hayes*

DOCKET NUMBER

*JP2-15-600079953*

DATE

*10-23-15*

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE



In the name and by the authority of

# The State of Texas

2011 JAN 14 PM 3:09

## OATH OF OFFICE

FILED BY  
1500119 AM 11:22  
JUSTICE OF THE PEACE  
PRECINCT SEVEN  
TARRANT COUNTY TEXAS

I, Matt Hayes, do solemnly  
swear (or affirm), that I will faithfully execute the duties of the office of Justice  
of the Peace Precinct Seven  
of the State of Texas, and will to the best of my ability preserve, protect, and defend  
the Constitution and laws of the United States and of this State, so help me God.

Matt Hayes  
Affiant

SWORN TO and subscribed before me by affiant on this 1<sup>st</sup> day of  
January, 2011.

Lynda B. Davis  
Signature of Person Administering Oath

LYNDA B. DAVIS  
Printed Name

Justice of the Peace Precinct 7  
Title

(Seal)



A CERTIFIED COPY,

42, 2013  
ATTEST: MARY LOUISE GARCIA, County Clerk  
Tarrant County, Texas

BY: C. [Signature] Deputy

**UNITED STATES DISTRICT COURT  
FOR THE NOTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

FILED BY \_\_\_\_\_  
15 OCT 19 AM 11:22  
JUSTICE OF THE PEACE  
PRESTON S. VICK  
TARRANT COUNTY, TEXAS

IMRAN QURASHI	§	
PLAINTIFF:	§	
	§	CASE NO: _____
-VS.-	§	
PAMELA BATES	§	
DEFENDANT	§	
	§	

**INDEX OF MATERIALS ATTACHED TO NOTICE OF REMOVAL**

NO.	DATE FILED OR ENTERED	<u>DOCUMENT</u>		
A.	10/19/15	Index of Materials attached to notice of Removal		
B.	10/19/15	ORIGINAL PETITION		

AO 239 (Rev. 12/13) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Retirement (such as social security, pensions, annuities, insurance)	\$ N/A	\$	\$	\$
Disability (such as social security, insurance payments)	\$ N/A	\$	\$	\$
Unemployment payments	\$ N/A	\$	\$	\$
Public-assistance (such as welfare)	\$ N/A	\$	\$	\$
Other (specify):	\$	\$	\$	\$
<b>Total monthly income:</b>	\$ 2500.00	\$	\$	\$

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Pams Hair Designs	520 Fossil Lake Ct.		\$
	ARLINGTON, TX 76002		\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
N/A			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ \_\_\_\_\_

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
Regions Bank	Checking	\$ 146.00	\$ N/A
		\$	\$
		\$	\$

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

FILED BY

OCT 19 AM 11:22

AO 239 (Rev. 12/13) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Assets owned by you or your spouse		
Home (Value)	N/A	\$
Other real estate (Value)	N/A	\$
Motor vehicle #1 (Value)	N/A	\$
Make and year:	11	
Model:	11	
Registration #:	11	
Motor vehicle #2 (Value)	11	\$
Make and year:	11	
Model:	11	
Registration #:	11	
Other assets (Value)	11	\$
Other assets (Value)		\$

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
N/A	\$	\$
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support.

Name (or, if under 18, initials only)	Relationship	Age
Joshua A.W.A	SON	23

FILED BY

15 OCT 19 AM 11:22

JUSTICE OF THE PEACE  
CLERK OF DISTRICT COURT  
TARRANT COUNTY TEXAS



AO 239 (Rev. 12/13) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (including lot rented for mobile home) Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	\$ 1200.00	\$ N/A
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 190.00	\$ N/A
Home maintenance (repairs and upkeep)	\$ 70.00	\$ N/A
Food	\$ 250.00	\$ N/A
Clothing	\$ 50.00	\$ N/A
Laundry and dry-cleaning	\$ 30.00	\$ N/A
Medical and dental expenses	\$ 30.00	\$ N/A
Transportation (not including motor vehicle payments)	\$ 40.00	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$ N/A
Life:	\$ 0	\$ N/A
Health:	\$ 30.00	\$ N/A
Motor vehicle:	\$ 110.00	\$ N/A
Other: Cell Phone	\$ 100.00	\$ N/A
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$	\$
Installment payments		
Motor vehicle:	\$ 470.00	\$ N/A
Credit card (name):	\$ 0	\$ 0
Department store (name):	\$ 0	\$ 0
Other: SONS College Accommodations	\$ 700.00	\$ N/A
Alimony, maintenance, and support paid to others	\$	\$

FILED BY 15 OCT 19 AM 11:22



AO 239 (Rev. 12/13) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 120.00	\$ N/A
Other (specify):	\$ <del>120</del>	\$ <del>120</del>
<b>Total monthly expenses:</b>	\$ 3390.00	\$ N/A

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No If yes, describe on an attached sheet.

10. Have you spent or will you be spending — any money for expenses or attorney fees in conjunction with this lawsuit? ☒ Yes ☐ No

If yes, how much? \$ 500.00

11. Provide any other information that will help explain why you cannot pay the costs of these proceedings.

Loss of income due to lack of work  
(slow months)

12. Identify the city and state of your legal residence.

ARLINGTON, TX

Your daytime phone number:

817-808-6971

Your age: 47 Your years of schooling:

12

Last four digits of your social-security number:

4988

FILED BY

15 OCT 19 AM 11:22

JUSTICE OF THE PEACE  
CLERK  
DISTRICT COURT  
TARRANT COUNTY TEXAS

**UNITED STATES DISTRICT COURT  
FOR THE NOTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

FILED BY \_\_\_\_\_  
15 OCT 19 AM 11:22  
JUSTICE OF THE PEACE  
PRECINCT SEVEN  
TARRANT COUNTY TEXAS

IMRAN QURASHI

§

PLAINTIFF:

§

§

CASE NO: \_\_\_\_\_

-VS.-

§

PAMELA BATES

§

DEFENDANT

§

§

**NOTICE OF REMOVAL**

**TO THE CLERK OF THE ABOVE-ENTITLED COURT:**

PLEASE TAKE NOTICE that the defendant PAMELA BATES, hereby and timely removes to this court the state court action described below.

On October the 20<sup>th</sup> 2015, an action was commenced in the Justice of the Peace Court Precient 7 in Tarrant County, Texas with Judge Matt Hayes presiding, entitled IMRAN QURASHI as Plaintiff vs. PAMELA BATES as Defendant. Case Number# JP07-15-E000779953.

- I. Defendant was served with a summons on or around October 9<sup>th</sup>, 2015.
- II. Pursuant to N. D TEX. Local Rule 81.1 this notice of removal is accompanied by an index of documents filed in State Court (EXHIBIT A)

- III. This action is a civil action of which this court has jurisdiction under 28 U.S.C § 1332 , and is one which may be removed to this court which has jurisdiction  
**Sec. 1332. Diversity of citizenship; amount in controversy; costs,**

(a) The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs because,

IV. The Amount in Controversy Exceeds the Federal Minimum Jurisdiction Requirements

1. The subject real property has a current fair market value of \$144, 28.00 Dollars according to the Tarrant County Tax Appraisal Office.
2. The amount in controversy is the value of the object of the litigation. SEE Leininger v. Leininger, 05F.2d 727,729 (5<sup>th</sup> cir. 1983)

V. **Sec. 1331. Federal question**

The district courts shall have original jurisdiction because this is a question of the Fair Debt Collections Practices Act (FDCPA) at 15 USC 1692 g.

Plaintiff was mail certified a dispute of Debt, the Fair Debt Collections Practices Act (FDCPA) at 15 USC 1692 g, the FDCP is US Code 1692, and in paragraph g. Therefore this court has jurisdiction. Imran Qurashu has never validated the debt which in fact creates a Statutory Estoppel.

Wherefore, defendant PAMELA BATES pray that this action be removed to the United States District Court of TEXAS Fort Worth Division.

Dated: 10/19/15

Respectfully Submitted,

PAMELA BATES

520 Fossil Lake Ct

Arlington TX 76002

By 

PAMELA BATES

CONSTABLE'S RETURN

CAME TO HAND ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_, AT \_\_\_\_\_  
O'CLOCK, \_\_\_\_\_M. AND EXECUTED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_  
O'CLOCK, \_\_\_\_\_M. BY DELIVERING TO \_\_\_\_\_

DEFENDANT, OR DEFENDANTS, IN PERSON A TRUE COPY OF THIS CITATION \_\_\_\_\_

NOT SERVED AS TO THE FOLLOWING NAMED DEFENDANT(S) FOR THE REASONS SET OPPOSITE NAME.  
\_\_\_\_\_  
\_\_\_\_\_

FEES - SERVING.....\$ \_\_\_\_\_  
COP. ....\$ \_\_\_\_\_  
TOTAL.....\$ \_\_\_\_\_

\* CONSTABLE, PCT. NO. \_\_\_\_\_  
TARRANT COUNTY, TEXAS

BY DEPUTY \_\_\_\_\_

\*STRIKE IF NOT APPLICABLE

\*\*\*\*\* ORIGINAL CITATION IN EVICTION \*\*\*\*\*

IN THE JUSTICE COURT  
MATT HAYES  
JUSTICE OF THE PEACE, PRECINCT SEVEN  
1100 EAST BROAD STREET SUITE 202  
MANSFIELD TEXAS 76063

ISSUED: OCTOBER 06, 2015

817-473-5101  
FAX 817-850-2328

CASE NO. JP07-15-E00079953

PLAINTIFF(S):

IMRAN QURASHI

1912 LAUREL OAK CT  
ARLINGTON TX 76001

HOME: 682-472-8644, WORK:  
682-365-6846

ATTORNEY(S) FOR PLAINTIFF(S):

VS.

DEFENDANT(S):

PAMELA BATES

520 FOSSIL LAKE CT  
ARLINGTON TX 76002

ATTORNEY(S) FOR DEFENDANT(S):

C07 COURT DATE OCTOBER 20, 2015 AT 9:00 AM

JUSTICE OF THE PEACE  
PRECINCT SEVEN  
TARRANT COUNTY, TEXAS

15 OCT 19 PM 11:22

FILED BY \_\_\_\_\_

NO SHORTS  
ALLOWED IN COURTROOM

DEFENDANT'S  
COPY

10/29/15  
10/17/2015  
Spire

\*\*\*\* ORIGINAL CITATION IN EVICTION \*\*\*\*

THE STATE OF TEXAS

TO: PAMELA BATES  
520 FOSSIL LAKE CT  
ARLINGTON TX 76002

DEFENDANT(S), GREETING:

YOU ARE HEREBY COMMANDED TO APPEAR AND ANSWER BEFORE ME, JUDGE MATT HAYES, A JUSTICE OF THE PEACE IN AND FOR PRECINCT SEVEN, AT A HEARING TO BE HELD AT MY OFFICE AT 1100 EAST BROAD STREET SUITE 202 MANSFIELD TEXAS 76063 ON THE 20TH DAY OF OCTOBER, 2015 AT 9:00 AM THEN AND THERE TO ANSWER THE SUIT OF IMRAN QURASHI PLAINTIFF, FILED THE 5TH DAY OF OCTOBER, 2015, FILE NO. JP07-15-E00079953 SUED UPON: SEE SWORN PETITION ATTACHED.

PLAINTIFF SUES THE DEFENDANT FOR THE POSSESSION OF THE FOLLOWING DESCRIBED PREMISES SITUATED IN JUSTICE OF THE PEACE PRECINCT SEVEN, TARRANT COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS, TO-WIT:

520 FOSSIL LAKE CT  
ARLINGTON TX 76002

TOGETHER WITH ALL IMPROVEMENTS THEREON SITUATED AND ALL COSTS OF SUIT.

**NOTICE TO PARTIES**

YOU HAVE BEEN SUED. YOU MAY EMPLOY AN ATTORNEY. FAILURE TO APPEAR FOR TRIAL MAY RESULT IN A DEFAULT JUDGMENT BEING ENTERED AGAINST YOU. UPON TIMELY REQUEST, NO LATER THAN 3 DAYS BEFORE THE DAY SET FOR TRIAL, AND PAYMENT OF A \$22.00 JURY FEE, THIS CASE WILL BE HEARD BY A JURY.

THIS DATE IS YOUR TRIAL DATE. ARRANGE TO HAVE ANY EVIDENCE OR WITNESSES YOU WISH THE COURT TO CONSIDER THERE IN COURT ON THAT DAY. FOR FURTHER INFORMATION, CONSULT PART V OF THE TEXAS RULES OF CIVIL PROCEDURE, WHICH IS AVAILABLE ONLINE AND ALSO AT THE COURT LISTED ON THIS CITATION.

**SUIT TO EVICT**

THIS SUIT TO EVICT INVOLVES IMMEDIATE DEADLINES. A TENANT WHO IS SERVING ON ACTIVE MILITARY DUTY MAY HAVE SPECIAL RIGHTS OR RELIEF RELATED TO THIS SUIT UNDER FEDERAL LAW, INCLUDING THE SERVICEMEMBERS CIVIL RELIEF ACT (50 U.S.C. APP. SECTION 501 ET SEQ.), OR STATE LAW INCLUDING SECTION 92.017, TEXAS PROPERTY CODE. CALL THE STATE BAR OF TEXAS TOLL-FREE AT 1-877-9TEXBAR IF YOU NEED HELP LOCATING AN ATTORNEY. IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, YOU MAY BE ELIGIBLE FOR FREE OR LOW-COST LEGAL ASSISTANCE.

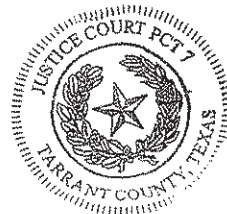
**DEMANDA DE DESALOJO**

ESTA DEMANDA DE DESALOJO INVOLUCRA UNA FECHA LIMITE INMEDIATA. UN INQUILINO QUE ESTÁ SIRVIENDO EN EL EJERCITO EN DEBER ACTIVO PUEDE TENER DERECHOS ESPECIALES O ALIVIO RELACIONADO A ESTA DEMANDA BAJO LAS LEYES FEDERALES, INCLUYENDO EL ACTA DE ALIVIO CIVIL DE MIEMBROS DEL SERVICIO (50 U.S.C. APP SECCIÓN 501 ET SEQ.), O LEY ESTATAL, INCLUYENDO SECCIÓN 92.017, CODIGO DE PROPIEDAD DE TEXAS. LLAME A LA ASOCIACIÓN DE ABOGADOS DE TEXAS AL NÚMERO GRATUITO 1-877-9TEXBAR PARA ASISTENCIA EN LOCALIZAR UN ABOGADO. SI NO PUEDE PAGAR PARA CONTRATAR A UN ABOGADO, PUEDE QUE CALIFIQUE PARA ASISTENCIA LEGAL GRATUITA O A BAJO-COSTO.

HEREIN FAIL NOT, BUT BE YOU THERE AND THEN AT THE PLACE AND AT THE TIME ABOVE SET FORTH, FAILING WHICH, DEFAULT JUDGMENT WILL BE RENDERED AGAINST YOU.

GIVEN UNDER MY HAND THIS 6TH DAY OF OCTOBER, 2015.

JUDGE MATT HAYES  
A JUSTICE OF THE PEACE IN AND FOR  
PRECINCT SEVEN, TARRANT COUNTY, TEXAS



ORIGINAL SIGNED  
BY \_\_\_\_\_  
CLERK OF THE JUSTICE COURT



## SWORN COMPLAINT FOR EVICTION

CASE NO. E-00000000☐ With suit for RentCOURT DATE: 10/23/15PLAINTIFF LAURENCE A. GARCIAIn the Justice Court, Precinct        Tarrant County, Texas

(Landlord/Property Name)

VS.

DEFENDANT(S): DAVID L. GARCIARental Subsidy (if any) \$       Tenant's Portion \$       TOTAL MONTHLY RENT \$ 1,200.00The amt. of the rent per day is \$       

COMPLAINT: Plaintiff (Landlord) hereby complains of the defendant(s) named above for eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

Street Address 700 S. GARCIA ST.Unit No. (if any)       City ARLINGTONZip 76010

1. **SERVICE OF CITATION:** Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other service of papers address/addresses (if known) are:

2. ☒ **UNPAID RENT AS GROUNDS FOR EVICTION:** Defendant(s) failed to pay rent for the following time period(s): 9/1/15 to 10/1/15  
**TOTAL DELINQUENT RENT AS OF DATE OF FILING IS:** \$ 2,400.00  
 Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial.

3. ☐ **OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS:** Lease Violations (if other than non-paid rent - list lease violations)

4. ☐ **HOLDOVER AS GROUNDS FOR EVICTION:** Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal of extension period, which was the 10 day of SEPTEMBER, 2015.

5. **NOTICE TO VACATE:** Plaintiff has given defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the 1 day of SEPTEMBER and delivered by this method: PERSONAL DELIVERY

6. **ATTORNEY'S FEES:** Plaintiff will be ☐ or will NOT be ☐ seeking applicable attorney's fees. Attorney's name, address phone & fax numbers are

7. ☐ **BOND FOR POSSESSION:** If Plaintiff has filed a bond for possession, plaintiff requests (1) that the amount of plaintiff's bond and defendant's counter bond be set, (2) that plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s).

**REQUEST FOR JUDGMENT:** Plaintiff prays that defendant(s) be served with citation and that plaintiff have judgment against defendant(s) for: possession of premises, including removal of defendants and defendants' possessions from the premises, unpaid rent (if set forth above, attorney's fees, court costs, and interest on the above sums at the rate stated in the rental contract, or if not so stated, at the statutory rate for judgments under Civil Statutes Article 5069-1.05.

☐ I give my consent for the answer and any other motions or pleadings to be sent to my email address which is:       

Petitioner's Printed Name LAURENCE A. GARCIASignature of Plaintiff (Landlord/Property Owner) or Agent LAURENCE A. GARCIA

DEFENDANT(S) INFORMATION (if known):

Address of Plaintiff (Landlord/Property Owner) or Agent 700 S. GARCIA ST.DATE OF BIRTH:       City ARLINGTONState TXZip 76010\*LAST 3 NUMBERS OF DRIVER LICENSE:       \*LAST 3 NUMBERS OF SOCIAL SECURITY:       DEFENDANT'S PHONE NUMBER:       Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent       Sworn to and subscribed before me this 23 day of OCTOBER, 2015

DOCKET NO.

**AFFIDAVIT  
SERVICEMEMBERS CIVIL RELIEF ACT SEC. 201 (b)**

PLAINTIFF BEING DULY SWORN ON HIS OATH DEPOSES AND SAYS UNDER  
PENALTY OF PERJURY THAT DEFENDANT

(PLAINTIFF - PLEASE SELECT ONE)

\_\_\_\_\_ IS IN THE MILITARY SERVICE AND ON ACTIVE DUTY IN A FOREIGN COUNTRY

OR

\_\_\_\_\_ IS IN THE MILITARY SERVICE AND NOT ON ACTIVE DUTY IN A FOREIGN COUNTRY

OR

           **IS NOT IN THE MILITARY SERVICE**

OR

1 PLAINTIFF IS UNABLE TO DETERMINE WHETHER OR NOT  
DEFENDANT IS IN MILITARY SERVICE

PLAINTIFF

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CLERK OF THE JUSTICE COURT  
NOTARY PUBLIC IN AND FOR STATE OF TEXAS  
(STRIKE ONE)

Penalty for making or using false affidavit – A person who makes or uses an affidavit knowing to be false, shall be fined as provided in title 18 United States Code, or imprisoned for not more than one year, or both.

JP-432 Rev 7/10

Supplemental Civil Cover Sheet  
Page 1 of 2

**Supplemental Civil Cover Sheet for Cases Removed  
From State Court**

This form must be attached to the Civil Cover Sheet at the time the case is filed in the U.S. District Clerk's Office. Additional sheets may be used as necessary.

FILED BY  
15 OCT 19 AM 11:22  
JUDGE OF THE PACIFIC  
DISTRICT COURT  
TARRANT COUNTY TEXAS

**1. State Court Information:**

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

Court	Case Number
Judge of the Peace Precinct 7 Tarrant County	JP07-15-6000 7995 3

**2. Style of the Case:**

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code).

Party and Party Type	Attorney(s)
IMRAA Qarashi Plaintiff	
Paralel Bates Defendant	

**3. Jury Demand:**

Was a Jury Demand made in State Court? ☐ Yes ☒ No

If "Yes," by which party and on what date?

Party

Date

Supplemental Civil Cover Sheet  
Page 2 of 2

## 4. Answer:

Was an Answer made in State Court? ☒ Yes ☐ No

If "Yes," by which party and on what date?

10-19-15 Defendant  
Party

\_\_\_\_\_  
Date

## 5. Unserved Parties:

The following parties have not been served at the time this case was removed:

Party	Reason(s) for No Service

## 6. Nonsuited, Dismissed or Terminated Parties:

Please indicate any changes from the style on the State Court papers and the reason for that change:

Party	Reason

## 7. Claims of the Parties:

The filing party submits the following summary of the remaining claims of each party in this litigation:

Party	Claim(s)
<u>Amela Bates</u>	<u>Possession of property</u>
<u>Iman Quasli</u>	<u>Possession of property</u>

CLERK OF THE PEAC  
PROCTOR SEVEN  
TARRANT COUNTY TEXAS

15 OCT 19 AM 11:22

FILED BY